

1-1 By: Seliger, Eckhardt, Paxton S.B. No. 288  
 1-2 (In the Senate - Filed January 5, 2021; March 3, 2021, read  
 1-3 first time and referred to Committee on Finance; April 12, 2021,  
 1-4 reported adversely, with favorable Committee Substitute by the  
 1-5 following vote: Yeas 15, Nays 0; April 12, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21	X			
1-22	X			

1-23 COMMITTEE SUBSTITUTE FOR S.B. No. 288 By: Hancock

1-24 A BILL TO BE ENTITLED  
 1-25 AN ACT

1-26 relating to preventing the loss of benefits by certain retirees of  
 1-27 the Teacher Retirement System of Texas who resume service.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 SECTION 1. Section 824.601, Government Code, is amended by  
 1-30 amending Subsection (b) and adding Subsection (b-3) to read as  
 1-31 follows:

1-32 (b) Except as provided by Subsection (b-1) or (b-3) or  
 1-33 Section 824.602 and subject to Subsection (b-2), a retiree is not  
 1-34 entitled to service or disability retirement benefit payments, as  
 1-35 applicable, for any month in which the retiree is employed in any  
 1-36 position by a Texas public educational institution.

1-37 (b-3) The retirement system may not under this section  
 1-38 withhold a monthly benefit payment for a retiree who retired under  
 1-39 Section 824.202 and qualified for an exception under Section  
 1-40 824.602 unless:

1-41 (1) with respect to the first occurrence of the  
 1-42 retiree's employment that does not qualify for the exception under  
 1-43 Section 824.602, the system issued a written warning notifying the  
 1-44 retiree of that fact; and

1-45 (2) in a month following the month in which the system  
 1-46 issued the warning described by Subdivision (1) and with respect to  
 1-47 a subsequent occurrence of the retiree's continued employment that  
 1-48 does not qualify for the exception under Section 824.602, the  
 1-49 system issued a written notice:

1-50 (A) warning the retiree of the fact described by  
 1-51 Subdivision (2); and

1-52 (B) requiring the retiree to pay to the system,  
 1-53 in a form and manner prescribed by the system, an amount elected by  
 1-54 the retiree that equals the total sum the retiree:

1-55 (i) earned for all employment by Texas  
 1-56 public educational institutions for each month occurring after the  
 1-57 issuance of the warning under Subdivision (1) and before the month  
 1-58 the system began withholding benefit payments under this section;

1-59 or  
 1-60 (ii) received in retirement benefit

2-1 payments for each month occurring after the issuance of the warning  
2-2 under Subdivision (1) and before the month the system began  
2-3 withholding benefit payments under this section.

2-4 SECTION 2. Section 824.601, Government Code, as amended by  
2-5 this Act, applies only to the employment of a retiree of the Teacher  
2-6 Retirement System of Texas on or after the effective date of this  
2-7 Act.

2-8 SECTION 3. As soon as practicable after the effective date  
2-9 of this Act, the Teacher Retirement System of Texas shall adopt  
2-10 rules as necessary to implement Section 824.601, Government Code,  
2-11 as amended by this Act.

2-12 SECTION 4. This Act takes effect September 1, 2021.

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